

Agenda



Cabinet Member for Licensing & Regulation

Date: Tuesday, 1 May 2018

Time: Not required

Venue: Not required

To: Councillor R Truman

Item		Wards Affected
1	<u>Newport Tattoo Convention - Revision of Fees and Charges</u> (Pages 3 - 8)	All Wards

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Report

Cabinet Member for Licensing & Regulation

**THIS IS FOR MEMBER CONSULTATION PURPOSES – RESPONSES BY 4PM
30 APRIL 2018**

Part 1

Date: 23 April 2018

Subject Newport Tattoo Convention - Revision of Fees & Charges

Purpose To seek approval from the Cabinet Member for Licensing and Regulation for the reduction in the fees and charges associated with the registration of both premises and persons carrying on the business of tattooing at the Newport Tattoo Convention (NTC)

Author Principal Environmental Health Officer (Environment & Health and Safety)

Ward All

Summary Fees and charges associated with the registration of persons and premises for the purposes of tattooing are agreed on an annual basis. This report sets out a proposed reduction of the fees in respect of these activities, only in relation to the Newport Tattoo Convention. The reason for the proposed reduction in fees is to ensure that the event is able to proceed without a prohibitively high fee when considering the short duration of the trading period. It is also consistent with efforts to invigorate the economy within the City Centre and support the profile of the City.

Proposal That the proposed charging regime be introduced from 1 April 2018.

Action by Head of Law & Regulation

Timetable 1 April 2018

This report was prepared after consultation with:

- Head of Law & Regulation
- Regulatory Services Manager (Environment & Community)
- Organiser of Newport Tattoo Convention 2018

Signed

Background

1. The Council currently issue certificates of registration for persons carrying on the business of tattooing, ear-piercing, and electrolysis and for those premises where said activities are undertaken across the City. Registration certificates are issued under the Local Government (Miscellaneous Provisions) Act 1982 and become effective without expiry. A one-off fee is charged in respect of premises and personal registrations (£95.68 from 1 April 2018).
2. The Newport Tattoo Convention (NTC) was last held in the City in 2011 and the proposed 2018 event will be operated by new organisers. It is estimated that up to 30 tattoo artists who will carry on the business of tattooing, as well as numerous other ancillary activities such as retail sales, will participate at the NTC. The proposed premises for the event to take place would need to be registered with the Local Authority. The Act also requires each person carrying on the business of tattooing to register with the Local Authority in order to operate within the City.
3. The organiser has explained that the additional cost of up to 30 tattooist registrations at current level will make the event uneconomically viable. The organiser also considers that passing on the cost to the tattooists directly would result in a mass withdrawal from the event thus also making the event unviable.
4. Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 permits the Council to charge such reasonable fees as it may determine for registration. The NTC will be a two day event with the 'premises' temporarily created within a function room at the Newport Centre. Reducing the fee for the registration granted in respect of the NTC seems reasonable considering the short duration of the trading period of the event compared to permanent tattoo businesses in the City. It is also consistent with efforts to invigorate the economy within the City Centre. The registration for those attending the NTC will be temporary rather than permanent.
5. If this proposal is not approved the Organiser has indicated that she will cancel the event as it is unlikely to be profitable.
6. If temporary registrations at a reduced rate are not offered for those attending the NTC and the event still goes ahead with tattooists paying the current fee for registration in order to comply with the law, persons will be registered indefinitely, but not linked to a specific premises within the City. Therefore it would prove difficult to track their movements and they could potentially operate in unregistered premises within the City.
7. It is proposed that a single certificate of registration be issued for the NTC naming the individuals registered, therefore reducing the administrative process of registration. The Convention organiser would also be responsible for paying a single fee therefore multiple payments would not need to be processed. This also supports the case for charging a reduced fee as the Council's costs will be less.

Proposed Charges

8. It is therefore recommended that the fee for registration of this event be set at **£66** for the premises and **£33** for each person with effect from 01 April 2018.
9. Persons would only be entitled to a reduced fee if they can demonstrate that they are already registered with a UK Local Authority to carry on the same practice.

Financial Summary

10. Current registrations of premises (permanent) and of persons do not expire on an annual basis and as such the fee covers only the administration involved in the issuing of registration certificates. As the Newport Tattoo Convention essentially occupies temporary premises (created within the Newport

Centre) there is a requirement to re-register the premises and persons if the event is repeated in future years. This would generate further income for the Council.

11. The Organiser has indicated that up to 30 Tattooists will be in attendance at the Newport Tattoo Convention. Therefore, based on the recommended reduced fee of £33 per artist plus registration fee for the premises of £66, the maximum income should these reduced fees be approved would be £1056.

Risks

Risk	Impact of Risk if it occurs (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Council makes a charge that has not been approved	M	L	Report to Cabinet Member seeking approval of fees	Regulatory Services Manager (Environment & Community)
Council allows permanent registrations to be applied for without a permanent premises in place	H	L	A temporary registration will be issued in return for the reduced fee, thereby keeping control of the persons with registrations in the city.	Regulatory Services Manager (Environment & Community)

Links to Council Policies and Priorities

This proposal supports the following Council Policies and Strategies:

Newport City Council's Corporate Plan (relevant theme: "A thriving city").

Newport's Community Strategy 2010-2020 "Feeling Good About Newport" (Relevant theme: "To be a prosperous and thriving city").

The proposals also demonstrate that the service area is acting in accordance with the "Be Courageous" value outlined in the Corporate Plan: the proposal shows that we are willing to be flexible to support business and the city.

Options Available and considered

- i. To approve the proposed reduced fees for the registration of premises and persons under the Local Government (Miscellaneous Provisions) Act 1982 attending Newport Tattoo Convention 2018
- ii. To determine an alternative set of fees
- iii. Not to approve the fees contained within the report

Preferred Option and Why

To approve the proposed reduced fees set out in the report for the registration of premises and persons under the Local Government (Miscellaneous Provisions) Act 1982 attending Newport Tattoo Convention 2018. This will support the event to take place; if the standard fees are applied it is likely that the event will no longer be financially viable for the organiser.

Comments of Chief Financial Officer

It is for service areas to manage budgets as best as possible whilst ensuring, in general terms, fees/charges structures and levels do not have a detrimental impact or create unwanted consequences.

The fee income generated from this event is not significant, even at the full price level, and since the event is not an annual event, then there should be no expectation in the budget that this must be charged at the full cost and at the lower fee level, will generate useful one-off funding which could, in due course, continue if Newport is used to host this event on a more regular basis.

Comments of Monitoring Officer

The proposed action is in accordance with the Council's regulatory powers under the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"). The Council registers both individuals carrying on the business of tattooing, ear-piercing, and electrolysis and the premises where they carry out these activities. Under the 1982 Act, the Council is able to charge "reasonable" fees for these registration certificates, based on the costs to the Council of processing and determining the applications and securing compliance with the legislation. The registration fees for individual businesses are set annually by the Council as part of the budget process. However, the current fee structure does not lend itself to the situation where this activity is being conducted as part of an organised event and at a single location. It would be impractical to license the tattooists on an individual basis, without linking them to specific premises, and the collective fees cannot be justified as reasonable given the reduced amount of work involved in determining the registrations and the fact that the event is only for a short temporary period. Therefore, a reduced fee structure for the premises and for the individual participants, in relation to this organised event, is to be supported. This is also consistent with other reduced fees for organised events, such as street trading consents, which encourage footfall into the City Centre.

Comments of Head of People and Business Change

The report notes that the reason for the proposed reduction in fees is to ensure that the Tattoo Convention is able to take place in the city. This is consistent with efforts to invigorate the economy within the City Centre and to attract events to the city. The proposal supports the Council's well-being objective "To promote economic growth and regeneration whilst protecting the environment" and will contribute to the "Newport Offer" intervention in the One Newport Public Service Board's Well-being Plan, which recognises the importance of city events.

There are no HR implications arising directly from this report.

Scrutiny Committees

No consultation with Scrutiny Committees has been undertaken or is proposed.

Equalities Impact Assessment and the Equalities Act 2010

No Equalities Impact Assessment is necessary in this case.

The proposals set out in this report have no more impact on those with protected characteristics than any other group or individual.

Children and Families (Wales) Measure

The proposals set out in this report are not relevant to the aims of the Children and Families (Wales) Measure.

Wellbeing of Future Generations (Wales) Act 2015

Well Being Assessment:

- **Long term:** Approving reduced fees for the Organiser and Artists attending the Newport Tattoo Convention would make the event cost effective to hold and hopefully grow in size each year, therefore aiding the long term effort to improve the local economy.
- **Prevention:** Reduced fees can assist in the promotion of the public health risks associated with skin piercing and will ensure resources can be focused upon the area to aid improvement.

- **Integration:** Reducing fees will enable the event to go ahead and will highlight the area to the stakeholders and improve engagement with the industry. This will aid a more integrated approach aiding 'negative' impacts to be mitigated and encouraging 'positive' actions.
- **Collaboration:** Supporting the Newport Tattoo Convention to enable it to go ahead will highlight the area to the various internal and external stakeholders aiding a more collaborative approach.
- **Involvement:** Reduced fees for the Newport Tattoo Convention would result in improved engagement with the trade.

Crime and Disorder Act 1998

The proposals set out in this report have no impact on crime and disorder.

Consultation

Comments received from Elected Members are detailed in this report.

Background Papers

None.

Dated: 17 April 2018

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